

FIRST REGULAR SESSION

SENATE BILL NO. 393

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR GOODMAN.

Read 1st time March 1, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

0274S.011

AN ACT

To repeal sections 168.133, 210.025, 210.221, 210.900, 210.903, 210.906, and 210.921, RSMo, and to enact in lieu thereof seven new sections relating to the family care safety registry, with existing penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 168.133, 210.025, 210.221, 210.900, 210.903, 210.906, 2 and 210.921, RSMo, are repealed and seven new sections enacted in lieu thereof, 3 to be known as sections 168.133, 210.025, 210.221, 210.900, 210.903, 210.906, and 4 210.921, to read as follows:

168.133. 1. The school district shall ensure that a criminal background 2 check is conducted on any person employed after January 1, 2005, authorized to 3 have contact with pupils and prior to the individual having contact with any pupil 4 **and that all such employees register with the family care safety** 5 **registry under sections 210.900 to 210.936.** Such persons include, but are 6 not limited to, administrators, teachers, aides, paraprofessionals, assistants, 7 secretaries, custodians, cooks, and nurses. The school district shall also ensure 8 that a criminal background check is conducted for school bus drivers. The district 9 may allow such drivers to operate buses pending the result of the criminal 10 background check. For bus drivers, the background check shall be conducted on 11 drivers employed by the school district or employed by a pupil transportation 12 company under contract with the school district.

13 2. In order to facilitate the criminal history background check on any 14 person employed after January 1, 2005, the applicant shall submit two sets of 15 fingerprints collected pursuant to standards determined by the Missouri highway 16 patrol. One set of fingerprints shall be used by the highway patrol to search the 17 criminal history repository and the family care safety registry pursuant to

18 sections 210.900 to 210.936 and the second set shall be forwarded to the Federal
19 Bureau of Investigation for searching the federal criminal history files.

20 3. The applicant shall pay the fee for the state criminal history record
21 information pursuant to section 43.530 and sections 210.900 to 210.936 and pay
22 the appropriate fee determined by the Federal Bureau of Investigation for the
23 federal criminal history record when he or she applies for a position authorized
24 to have contact with pupils pursuant to this section. The department shall
25 distribute the fees collected for the state and federal criminal histories to the
26 Missouri highway patrol.

27 4. The school district may adopt a policy to provide for reimbursement of
28 expenses incurred by an employee for state and federal criminal history
29 information pursuant to section 43.530.

30 5. If, as a result of the criminal history background check mandated by
31 this section, it is determined that the holder of a certificate issued pursuant to
32 section 168.021 has pled guilty or nolo contendere to, or been found guilty of a
33 crime or offense listed in section 168.071, or a similar crime or offense committed
34 in another state, the United States, or any other country, regardless of imposition
35 of sentence, such information shall be reported to the department of elementary
36 and secondary education.

37 6. Any school official making a report to the department of elementary
38 and secondary education in conformity with this section shall not be subject to
39 civil liability for such action.

40 7. For any teacher who is employed by a school district on a substitute or
41 part-time basis within one year of such teacher's retirement from a Missouri
42 school, the state of Missouri shall not require such teacher to be subject to any
43 additional background checks prior to having contact with pupils. Nothing in this
44 subsection shall be construed as prohibiting or otherwise restricting a school
45 district from requiring additional background checks for such teachers employed
46 by the school district.

47 8. A criminal background check and fingerprint collection conducted under
48 subsections 1 and 2 of this section shall be valid for at least a period of one year
49 and transferrable from one school district to another district. A teacher's change
50 in type of certification shall have no effect on the transferability or validity of
51 such records.

52 9. Nothing in this section shall be construed to alter the standards for
53 suspension, denial, or revocation of a certificate issued pursuant to this chapter.

54 10. The state board of education may promulgate rules for criminal
55 history background checks made pursuant to this section. Any rule or portion of
56 a rule, as that term is defined in section 536.010, that is created under the
57 authority delegated in this section shall become effective only if it complies with
58 and is subject to all of the provisions of chapter 536 and, if applicable, section
59 536.028. This section and chapter 536 are nonseverable and if any of the powers
60 vested with the general assembly pursuant to chapter 536 to review, to delay the
61 effective date, or to disapprove and annul a rule are subsequently held
62 unconstitutional, then the grant of rulemaking authority and any rule proposed
63 or adopted after January 1, 2005, shall be invalid and void.

 210.025. 1. To qualify for receipt of state or federal funds for providing
2 child-care services in the home either by direct payment or through
3 reimbursement to a child-care beneficiary, an applicant and any person over the
4 age of seventeen who is living in the applicant's home shall be required to
5 **register with the family care safety registry under sections 210.900 to**
6 **210.936**, submit to a **state and national fingerprint** criminal background
7 check pursuant to section 43.540 and a check of the central registry for child
8 abuse established in section 210.145. [Effective January 1, 2001, the
9 requirements of this subsection or subsection 2 of this section shall be satisfied
10 through registration with the family care safety registry established in sections
11 210.900 to 210.936.] Any costs associated with such checks shall be paid by the
12 applicant.

13 2. Upon receipt of an application for state or federal funds for providing
14 child-care services in the home, the family support division shall:

15 (1) Determine if a finding of child abuse or neglect by probable cause prior
16 to August 28, 2004, or by a preponderance of the evidence after August 28, 2004,
17 involving the applicant or any person over the age of seventeen who is living in
18 the applicant's home has been recorded pursuant to section 210.145 or 210.221;

19 (2) Determine if the applicant or any person over the age of seventeen who
20 is living in the applicant's home has been refused licensure or has experienced
21 licensure suspension or revocation pursuant to section 210.221 or 210.496; and

22 (3) Upon initial application, require the applicant to submit to
23 fingerprinting and request a criminal background check of the applicant and any
24 person over the age of seventeen who is living in the applicant's home pursuant
25 to section 43.540 and section 210.487, and inquire of the applicant whether any
26 children less than seventeen years of age residing in the applicant's home have

27 ever been certified as an adult and convicted of, or pled guilty or nolo contendere
28 to any crime.

29 3. Except as otherwise provided in subsection 4 of this section, upon
30 completion of the background checks in subsection 2 of this section, an applicant
31 shall be denied state or federal funds for providing child care if such applicant,
32 any person over the age of seventeen who is living in the applicant's home, and
33 any child less than seventeen years of age who is living in the applicant's home
34 and who the division has determined has been certified as an adult for the
35 commission of a crime:

36 (1) Has had a finding of child abuse or neglect by probable cause prior to
37 August 28, 2004, or by a preponderance of the evidence after August 28, 2004,
38 pursuant to section 210.145 or section 210.152;

39 (2) Has been refused licensure or has experienced licensure suspension
40 or revocation pursuant to section 210.496;

41 (3) Has pled guilty or nolo contendere to or been found guilty of any felony
42 for an offense against the person as defined by chapter 565, or any other offense
43 against the person involving the endangerment of a child as prescribed by law;
44 of any misdemeanor or felony for a sexual offense as defined by chapter 566; of
45 any misdemeanor or felony for an offense against the family as defined in chapter
46 568, with the exception of the sale of fireworks, as defined in section 320.110, to
47 a child under the age of eighteen; of any misdemeanor or felony for pornography
48 or related offense as defined by chapter 573; or of any similar crime in any
49 federal, state, municipal or other court of similar jurisdiction of which the
50 director has knowledge or any offenses or reports which will disqualify an
51 applicant from receiving state or federal funds.

52 4. An applicant shall be given an opportunity by the division to offer any
53 extenuating or mitigating circumstances regarding the findings, refusals or
54 violations against such applicant or any person over the age of seventeen or less
55 than seventeen who is living in the applicant's home listed in subsection 2 of this
56 section. Such extenuating and mitigating circumstances may be considered by
57 the division in its determination of whether to permit such applicant to receive
58 state or federal funds for providing child care in the home.

59 5. An applicant who has been denied state or federal funds for providing
60 child care in the home may appeal such denial decision in accordance with the
61 provisions of section 208.080.

62 6. If an applicant is denied state or federal funds for providing child care

63 in the home based on the background check results for any person over the age
64 of seventeen who is living in the applicant's home, the applicant shall not apply
65 for such funds until such person is no longer living in the applicant's home.

66 7. Any rule or portion of a rule, as that term is defined in section 536.010,
67 that is created under the authority delegated in this section shall become effective
68 only if it complies with and is subject to all of the provisions of chapter 536 and,
69 if applicable, section 536.028. All rulemaking authority delegated prior to August
70 28, 1999, is of no force and effect and repealed. Nothing in this section shall be
71 interpreted to repeal or affect the validity of any rule filed or adopted prior to
72 August 28, 1999, if it fully complied with all applicable provisions of law. This
73 section and chapter 536 are nonseverable and if any of the powers vested with the
74 general assembly pursuant to chapter 536 to review, to delay the effective date
75 or to disapprove and annul a rule are subsequently held unconstitutional, then
76 the grant of rulemaking authority and any rule proposed or adopted after August
77 28, 1999, shall be invalid and void.

210.221. 1. The department of health and senior services shall have the
2 following powers and duties:

3 (1) After inspection, to grant licenses to persons to operate child-care
4 facilities if satisfied as to the good character and intent of the applicant and that
5 such applicant is qualified and equipped to render care or service conducive to the
6 welfare of children, and to renew the same when expired. No license shall be
7 granted for a term exceeding two years. Each license shall specify the kind of
8 child-care services the licensee is authorized to perform, the number of children
9 that can be received or maintained, and their ages and sex;

10 (2) To inspect the conditions of the homes and other places in which the
11 applicant operates a child-care facility, inspect their books and records, premises
12 and children being served, examine their officers and agents, deny, suspend, place
13 on probation or revoke the license of such persons as fail to obey the provisions
14 of sections 210.201 to 210.245 or the rules and regulations made by the
15 department of health and senior services. The director also may revoke or
16 suspend a license when the licensee fails to renew or surrenders the license;

17 (3) To promulgate and issue rules and regulations the department deems
18 necessary or proper in order to establish standards of service and care to be
19 rendered by such licensees to children. No rule or regulation promulgated by the
20 division shall in any manner restrict or interfere with any religious instruction,
21 philosophies or ministries provided by the facility and shall not apply to facilities

22 operated by religious organizations which are not required to be licensed; and

23 (4) To determine what records shall be kept by such persons and the form
24 thereof, and the methods to be used in keeping such records, and to require
25 reports to be made to the department at regular intervals; **and**

26 **(5) To require all licensed and license-exempt providers,**
27 **applicants for licensure, and every employee and volunteer of licensed**
28 **and license-exempt providers to register with the family care safety**
29 **registry under sections 210.900 to 210.936, submit to a state and**
30 **national fingerprint criminal background check under section 43.540,**
31 **and submit to a check of the central registry for child abuse under**
32 **section 210.145.**

33 2. Any child-care facility may request a variance from a rule or regulation
34 promulgated pursuant to this section. The request for a variance shall be made
35 in writing to the department of health and senior services and shall include the
36 reasons the facility is requesting the variance. The department shall approve any
37 variance request that does not endanger the health or safety of the children
38 served by the facility. The burden of proof at any appeal of a disapproval of a
39 variance application shall be with the department of health and senior
40 services. Local inspectors may grant a variance, subject to approval by the
41 department of health and senior services.

42 3. The department shall deny, suspend, place on probation or revoke a
43 license if it receives official written notice that the local governing body has found
44 that license is prohibited by any local law related to the health and safety of
45 children. The department may, after inspection, find the licensure, denial of
46 licensure, suspension or revocation to be in the best interest of the state.

47 4. Any rule or portion of a rule, as that term is defined in section 536.010,
48 that is created under the authority delegated in sections 210.201 to 210.245 shall
49 become effective only if it complies with and is subject to all of the provisions of
50 chapter 536, and, if applicable, section 536.028. All rulemaking authority
51 delegated prior to August 28, 1999, is of no force and effect and
52 repealed. Nothing in this section shall be interpreted to repeal or affect the
53 validity of any rule filed or adopted prior to August 28, 1999, if it fully complied
54 with all applicable provisions of law. This section and chapter 536 are
55 nonseverable and if any of the powers vested with the general assembly pursuant
56 to chapter 536 to review, to delay the effective date or to disapprove and annul
57 a rule are subsequently held unconstitutional, then the grant of rulemaking

58 authority and any rule proposed or adopted after August 28, 1999, shall be
59 invalid and void.

210.900. 1. Sections 210.900 to 210.936 shall be known and may be cited
2 as the "Family Care Safety Act".

3 2. As used in sections 210.900 to 210.936, the following terms shall mean:

4 (1) "Child-care provider", any licensed or license-exempt child-care home,
5 any licensed or license-exempt child-care center, child-placing agency, residential
6 care facility for children, group home, foster family group home, foster family
7 home, employment agency that refers a child-care worker to parents or guardians
8 as defined in section 289.005, **or any facility or provider regulated by the**
9 **departments of health and senior services, elementary and secondary**
10 **education, or social services.** The term "child-care provider" does not include
11 summer camps or voluntary associations designed primarily for recreational or
12 educational purposes;

13 (2) "Child-care worker", any person who is employed by **or volunteers**
14 **for** a child-care provider, or receives state or federal funds, either by direct
15 payment, reimbursement or voucher payment, as remuneration for child-care
16 services;

17 (3) "Department", the department of health and senior services;

18 (4) "Elder-care provider", any operator licensed pursuant to chapter 198
19 or any person, corporation, or association who provides in-home services under
20 contract with the division of aging, or any employer of nurses or nursing
21 assistants of home health agencies licensed pursuant to sections 197.400 to
22 197.477, or any nursing assistants employed by a hospice pursuant to sections
23 197.250 to 197.280, or that portion of a hospital for which subdivision (3) of
24 subsection 1 of section 198.012 applies;

25 (5) "Elder-care worker", any person who is employed by an elder-care
26 provider, or who receives state or federal funds, either by direct payment,
27 reimbursement or voucher payment, as remuneration for elder-care services;

28 (6) "Employer", any child-care provider, elder-care provider, [or]
29 personal-care provider, **mental health provider, or school district staff** as
30 defined in this section;

31 (7) "Mental health provider", any mental retardation facility or group
32 home as defined in section 633.005;

33 (8) "Mental health worker", any person employed by a mental health
34 provider to provide personal care services and supports;

35 (9) "Patrol", the Missouri state highway patrol;

36 (10) "Personal-care attendant" or "personal-care worker", a person who
37 performs routine services or supports necessary for a person with a physical or
38 mental disability to enter and maintain employment or to live independently;

39 (11) "Personal-care provider", any person, corporation, or association who
40 provides personal-care services or supports under contract with the department
41 of mental health, the division of aging, the department of health and senior
42 services or the department of elementary and secondary education;

43 (12) "Related child care", child care provided only to a child or children
44 by such child's or children's grandparents, great-grandparents, aunts or uncles,
45 or siblings living in a residence separate from the child or children;

46 (13) "Related elder care", care provided only to an elder by an adult child,
47 a spouse, a grandchild, a great-grandchild or a sibling of such elder;

48 (14) **"School district staff", persons authorized to have contact**
49 **with public school pupils, including but not limited to administrators,**
50 **teachers, aides, paraprofessionals, assistants, secretaries, custodians,**
51 **cooks, and nurses.**

210.903. 1. To protect children, the elderly, the disabled, including the
2 developmentally, **physically, and cognitively** disabled individuals in this state,
3 and to promote family and community safety by providing information concerning
4 family caregivers, **and for the purpose of insuring the comprehensive**
5 **screenings of persons providing services to the state's most vulnerable**
6 **citizens**, there is hereby established within the department of health and senior
7 services a "Family Care Safety Registry and Access Line" which shall be available
8 by January 1, 2001.

9 2. (1) **The family care safety registry shall be the sole**
10 **background check repository for the state of Missouri. The Missouri**
11 **state highway patrol shall collect fingerprints and conduct state and**
12 **national criminal background checks, with the resulting background**
13 **information to be retained in and reported out by the family care safety**
14 **registry. All state departments and agencies shall utilize the family**
15 **care safety registry for background screening results.**

16 (2) **Subject to appropriations, or with a portion of the moneys**
17 **made available to the state through the federal American Recovery and**
18 **Reinvestment Act of 2009, as enacted by the 111th United States**
19 **Congress, the department of health and senior services shall:**

20 **(a) Update and enhance the technological capabilities of the**
21 **family care safety registry;**

22 **(b) Implement an interdepartmental uniform infrastructure and**
23 **procedure for the departments of public safety, social services, mental**
24 **health, and elementary and secondary education to use for background**
25 **screening results; and**

26 **(c) Fund the processing of such results for employed individuals**
27 **not currently registered with the family care safety registry.**

28 **The department of health and senior services shall disburse moneys**
29 **received to the departments of public safety, social services, mental**
30 **health, and elementary and secondary education to allow appropriate**
31 **interagency operability of systems in order to make the technological,**
32 **administrative, and procedural adjustments needed for implementation.**

33 **3. (1) The family care safety registry shall contain information on**
34 **teachers, school employees with child contact, child-care workers',**
35 **elder-care workers', mental health workers', and personal-care workers'**
36 **background and on child-care, elder-care, mental health, [and] personal-care**
37 **providers, and school district staff through:**

38 **[(1)] (a) The patrol's criminal record check system pursuant to section**
39 **43.540, including state and national information, to the extent possible;**

40 **[(2)] (b) Probable cause findings of abuse and neglect prior to August 28,**
41 **2004, or findings of abuse and neglect by a preponderance of the evidence after**
42 **August 28, 2004, pursuant to sections 210.109 to 210.183 and, as of January 1,**
43 **2003, financial exploitation of the elderly or disabled, pursuant to section**
44 **570.145;**

45 **[(3)] (c) The [division of aging's] department of health and senior**
46 **services employee disqualification list pursuant to section 660.315;**

47 **[(4)] (d) As of January 1, 2003, the department of mental health's**
48 **employee disqualification registry;**

49 **[(5)] (e) Foster parent licensure denials, revocations and involuntary**
50 **suspensions pursuant to section 210.496;**

51 **[(6)] (f) Child-care facility license denials, revocations and suspensions**
52 **pursuant to sections 210.201 to 210.259;**

53 **[(7)] (g) Residential living facility and nursing home license denials,**
54 **revocations, suspensions and probationary status pursuant to chapter 198; [and]**

55 **[(8)] (h) As of January 1, 2004, a check of the patrol's Missouri uniform**

56 law enforcement system (MULES) for sexual offender registrations pursuant to
57 section 589.400;

58 (i) The department of elementary and secondary education's
59 employee disqualification registry, and the department's teacher
60 certifications and revocations list; and

61 (j) School district staff disqualifications or denials issued by a
62 school district as a result of information results obtained by a
63 background check;

64 (k) As of January 1, 2012, department of revenue records for
65 suspended and revoked driver's licenses.

66 (2) If employed on or after January 1, 2012, individuals identified
67 in this subsection who undergo a criminal background check shall be
68 required to register with the family care safety registry under sections
69 210.900 to 210.936 and be cleared through the registry database.

70 4. The contents of the family care safety registry shall be
71 accessible to the departments and contracted agencies of public safety,
72 social services, mental health, and elementary and secondary
73 education, and school districts; except that, information in the registry
74 which would constitute a violation of the federal Health Insurance
75 Portability and Accountability Act of 1996, as amended, or the federal
76 Family Educational Rights and Privacy Act, as amended, shall not be
77 shared between departments.

78 5. The family care safety registry shall contain records of
79 persons maintained in the registry.

80 6. If an individual is denied employment based on results of a
81 background screening reported by the family care safety registry, such
82 individual may seek an appeal, if applicable, directly from the
83 department that disqualified the individual's employment.

210.906. 1. Every child-care worker or elder-care worker hired on or after
2 January 1, 2001, or personal-care worker hired on or after January 1, 2002, or
3 mental health worker hired on or after January 1, 2009, or all current school
4 district staff by January 1, 2012, and all school district staff hired on
5 or after January 1, 2012, shall complete a registration form provided by the
6 department. The department shall make such forms available no later than
7 January 1, 2001, and may, by rule, determine the specific content of such form,
8 but every form shall:

9 (1) Request the valid Social Security number of the applicant;

10 (2) Include information on the person's right to appeal the information
11 contained in the registry pursuant to section 210.912;

12 (3) Contain the signed consent of the applicant for the background checks
13 required pursuant to this section; and

14 (4) Contain the signed consent for the release of information contained in
15 the background check for employment purposes only.

16 2. Every child-care worker or elder-care worker hired on or after January
17 1, 2001, and every personal-care worker hired on or after January 1, 2002, and
18 every mental health worker hired on or after January 1, 2009, **or all current**
19 **school district staff by January 1, 2011, and all school district staff**
20 **hired on or after January 1, 2011**, shall complete a registration form within
21 fifteen days of the beginning of such person's employment. Any person employed
22 as a child-care, elder-care, mental health, [or] personal-care worker, **or school**
23 **district staff** who fails to submit a completed registration form to the
24 department of health and senior services as required by sections 210.900 to
25 210.936 without good cause, as determined by the department, is guilty of a class
26 B misdemeanor.

27 3. **Subject to appropriations, the cost of the criminal background**
28 **check shall be paid by the state of Missouri.** The costs of the criminal
29 background check **not covered by the state of Missouri** may be paid by the
30 individual applicant, or by the provider if the applicant is so employed[, or]. **If**
31 **no state appropriation is made to cover the cost of funding the checks**
32 **and the applicant is employed, then the cost of the background check**
33 **shall be paid by the employer if the cost of the background check when**
34 **subtracted from the applicant's annual salary or wages results in the**
35 **annualized salary or wages of the applicant to fall below the annualized**
36 **full-time salary or wages for an employee earning minimum wage under**
37 **chapter 290.** For those applicants receiving public assistance, **the cost may**
38 **be paid** by the state through the terms of the self-sufficiency pact pursuant to
39 section 208.325. Any moneys remitted to the patrol for the costs of the criminal
40 background check shall be deposited to the credit of the criminal record system
41 fund as required by section 43.530.

42 4. Any person licensed pursuant to sections 210.481 to 210.565 shall be
43 automatically registered in the family care safety registry at no additional cost
44 other than the costs required pursuant to sections 210.481 to 210.565.

45 5. Any person not required to register pursuant to the provisions of

46 sections 210.900 to 210.936 may also be included in the registry if such person
47 voluntarily applies to the department for registration and meets the requirements
48 of this section and section 210.909, including submitting to the background checks
49 in subsection 1 of section 210.909.

50 **6. Except for individuals receiving state or federal funds for**
51 **their services,** the provisions of sections 210.900 to 210.936 shall not extend to
52 related child care, related elder care or related personal care.

 210.921. 1. The department shall not provide any registry information
2 pursuant to this section unless the department obtains the name and address of
3 the person calling, and determines that the inquiry is for employment **or**
4 **regulatory** purposes [only]. For purposes of sections 210.900 to 210.936,
5 "employment purposes" includes direct employer-employee relationships,
6 prospective employer-employee relationships, **direct employer-volunteer**
7 **relationships, prospective employer-volunteer relationships** and
8 screening and interviewing of persons or facilities by those persons contemplating
9 the placement of an individual in a child-care, elder-care, mental health, [or]
10 personal-care, **or school district** setting. Disclosure of background information
11 concerning a given applicant recorded by the department in the registry shall be
12 limited to:

13 (1) Confirming whether the individual is listed in the registry; and

14 (2) Indicating whether the individual has been listed or named in any of
15 the background checks listed in subsection 2 of section 210.903. If such
16 individual has been so listed, the department of health and senior services shall
17 only disclose the name of the background check in which the individual has been
18 identified. With the exception of any agency licensed or contracted by the state
19 to provide child care, elder care, mental health services, or personal care which
20 shall receive specific information immediately if requested, any specific
21 information related to such background check shall only be disclosed after the
22 department has received a signed request from the person calling, with the
23 person's name, address and reason for requesting the information.

24 2. Any person requesting registry information shall be informed that the
25 registry information provided pursuant to this section consists only of information
26 relative to the state of Missouri and does not include information from other
27 states or information that may be available from other states.

28 3. Any person who uses the information obtained from the registry for any
29 purpose other than that specifically provided for in sections 210.900 to 210.936

30 is guilty of a class B misdemeanor.

31 4. When any registry information is disclosed pursuant to subdivision (2)
32 of subsection 1 of this section, the department shall notify the registrant of the
33 name and address of the person making the inquiry.

34 5. The department of health and senior services staff providing
35 information pursuant to sections 210.900 to 210.936 shall have immunity from
36 any liability, civil or criminal, that otherwise might result by reason of such
37 actions; provided, however, any department of health and senior services staff
38 person who releases registry information in bad faith or with ill intent shall not
39 have immunity from any liability, civil or criminal. Any such person shall have
40 the same immunity with respect to participation in any judicial proceeding
41 resulting from the release of registry information. The department is prohibited
42 from selling the registry or any portion of the registry for any purpose including
43 employment purposes as defined in subsection 1 of this section.

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Bill

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